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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,192	01/16/2004	Hideo Horigome	00862.023408.	4904
5514	7590	06/22/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			FANTU, YALKEW	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2838	

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/758,192	<b>Applicant(s)</b> HORIGOME, HIDEO	
	<b>Examiner</b> Yalkew Fantu	<b>Art Unit</b> 2838	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3-1-6; 12-7-5, 9-24-2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 11-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Toya (5,525,888).

With respect to claim 1, Toya discloses electric charging apparatus Fig. 3, 1 and 30 attachable/removable to/from an electronic apparatus main body 10, which charges a secondary battery 20 or 50 to supply electric power to the electronic apparatus 10, comprising: a communication unit (Fig. 3, 12 and 35) configured to perform communication with the electronic apparatus 10; determination means (col. 5, 1-5) for determining an electric charging condition for electrically charging the secondary battery 20; and control means (Fig. 3, 43; col. 4, 66-67) for controlling electric charging of the secondary battery 20 in correspondence with an electric charging control signal (signals from AC/DC (40) through the charging switch to secondary battery; see Fig. 3) for the secondary battery 20, received from the electronic apparatus 10 via said communication unit Fig. 3, 12 and 35, and the electric charging condition determined by said determination means( col. 5, lines 1-5).

With respect to claim 2, Toya discloses: an input terminal (Fig. 3, 32) configured to input an electric power from a commercial power source (col. 4, lines 58-60); and

power source relay means (Fig. 3, 41; as a relay is an electric switch that opens and closes under control of another electrical switch) for supplying the electric power supplied via said input terminal fig.3, 32 to the electronic apparatus fig. 3, 10, and relay-outputting the electric power for the electric charging of the secondary battery (col. 4, lines 58-65).

With respect to claim 3, Toya discloses an electric charging apparatus (Fig. 3, 1 and 30) attachable/removable to/from an electronic apparatus main body 10, which charges a secondary battery 20 and 50 to supply an electric power to the electronic apparatus 10, comprising: supply means (Fig. 3, 40 and 11) for supplying the electric power from the secondary battery 20, 50 to the electronic apparatus (col. 5, lines 8-15); reception means (Fig. 3, 11 and 12 through communication means) for receiving a signal from the electronic apparatus 10; and control means (Fig. 3, 43; microcomputer) for, when it is instructed by the signal received by said reception means Fig. 3, 11 and 12) to shut off a power source, stopping electric power supply (col. 4, lines 66-67) from the secondary battery 20 and 50 by said supply means (col. 4, lines 66-col. 5, lines 1-5).

With respect to claim 4, Toya discloses further comprising electric charging control means Fig. 3, 43) for, when it is instructed by the signal received by said reception means (Fig. 3, 11 and 12) to shut off the power source (col. 4, lines 66-67), if a condition for electric charging the secondary battery 10 is satisfied, starting electric charging of the secondary battery (the microcomputer 64 controls the charging switch 61A to charge the secondary battery 20A when there is a feed back to microcomputer 64 by the current detection unit 62A. See Fig. 5; and col. 6, lines 20-30).

With respect to claim 5, Toya discloses an electronic apparatus Fig. 3, 10, which an electric charging unit Fig. 3, 1 and 30 including a secondary battery 20 or 50 is attachable/removable to/from, and which can be operated with electric power supply from the secondary battery 20 or 50 included in the electric charging unit 30, comprising: a communication unit (Fig. 3, 12 and 35) configured to perform communication with the electric charging unit (Fig. 3, 30); and transmission control means (transmit using the communication control means of Fig. 3, 13 and 43) for transmitting an electric charging control signal for the secondary battery 20 and / 50 to the electric charging unit 30 via said communication unit.

Regarding claims 6 and 7, Toya discloses an input terminal (fig. 3, 32) configured to input an electric power from a commercial power source (col. 4, 58-60); determination means (COL. 5, 1-5) for determining whether or not electric charging of the secondary battery 10 is necessary; and control means (COL. 4, 66-67, microcomputer 43 of fig. 3) for, in a status where the electric power is supplied via said input terminal (Fig. 3, 32), if said determination means (col. 5, lines 1-5) determines that the electric charging of the secondary battery is necessary, controlling said transmission control means (Fig. 3, 43; col. 4, 66-67; and col. 6, lines 20-30) to transmit a signal indicating that the electric charging of the secondary battery is enabled. Further comprising power-source shut-off signal transmission control means (Fig. 3, 43; col. 6, lines 20-30) for transmitting a signal indicating power-source shut-off to the electric charging unit via said communication unit.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toya (US 5,525,888) in view of Horigome et al (US 5,631,677).

With respect to claims 8, 9 and 10, Toya discloses the charging apparatus with a control and transmission control means according to claim 5 as set forth above in the 35 USC 102 rejection, but does not expressly disclose that the electronic apparatus is an image forming apparatus, i.e., a printer, which is an ink jet type.

Horigome et al. (here after called Horigome) discloses that said electronic apparatus is an image forming apparatus (col. 5, lines 38-40), and when an image forming instruction command is inputted from an external device while the electric charging unit electrically charges the secondary battery (Fig. 3, 24; col. 6, lines 7-15); and said image forming apparatus prints an image (col. 5, 38-40) on a printing medium

by driving a print head (Fig. 3, 12; and col. 5, lines 33-36). Further more this image forming apparatus is an ink jet printing apparatus (col. 5, lines 17-20. see also Fig. 2), which forms an image on the printing medium by discharging ink from the print head.

Toya, and Horigome et al. are analogous art because they are from the same field of endeavor namely battery charger and method of charging battery of printing apparatus.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art, to provide a battery charging method of a printing apparatus to the battery charging electronics of Toya in view of the teachings of Horigome to show that the common use of being portable electronics, such as a cell phone can equally be used for printer by providing a rechargeable battery in a case where the printing apparatus is of portable, compact type, a dual power supply arrangement, i.e., power is capable of being supplied by an AC adapter as well as by a battery. (Col. 1, lines 22-26).

Therefore, it would have been obvious to combine Horigome et al. with Toya for the benefit of battery charging method of an apparatus having a dual power arrangement means as taught by Horigome in view of Toya.

With respect to claims 11-14, electronic apparatus charging method; all the claims' limitations are met by the previous arguments of claims 1 and 3 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yalkew Fantu whose telephone number is 571-272-28928. The examiner can normally be reached on M - F: 7- 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Karl D. Eastom can be reached on 571-272-1989. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
KARL EASTHOM  
SUPERVISORY PATENT EXAMINER